



NEW MEXICO REPUBLICANS

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2008 DEC 22 A 11: 02

ALLEN E. WEH
Chairman
December 10, 2008

Office of General Counsel
Federal Election Commission
999 E Street NW
Washington, DC 20463

MUR # 6153

Dear Commissioners:

I am writing this letter to make you aware of a clear violation of federal law and ask that you take immediate steps to sanction the offending party.

The Ben Rodefer for State Representative Campaign sent a mailing to voters in New Mexico on or about October 24, 2008 advocating the election of Barack Obama for President and Ben Rodefer for State Representative (see accompanying mailer). Specifically, the mailer in question states, "Elect Ben Rodefer and Barack Obama."

The Ben Rodefer for State Representative Campaign is not a political committee registered with the Federal Elections Commission. However, the Ben Rodefer for State Representative Campaign is registered with the New Mexico Secretary of State. As such, the campaign solicits non-federal funds, including unlimited personal and corporate contributions.

It is unlawful to expend state or corporate funds in a federal election. By expending funds sending this mailer to voters promoting the election of Barack Obama for President, the Ben Rodefer for State Representative Campaign has engaged in Federal Election Activity (FEA), as defined by the Federal Election Commission. The NM-DLCC has spent non-federal funds promoting a federal candidate and is in clear violation of federal law.

According to records filed with the New Mexico Secretary of State, the contact information for the Rodefer Campaign is the following:

Ben Rodefer
Corrales, NM 87048
b)

Yesterday we mailed a complaint with regards to the NM-DLCC. The treasurer of that committee, Mimi Stewart, was quoted in an Associated Press article admitting wrong-doing and stated that she would be contacting the FEC. This mail piece is the same piece that was sent by the NM-DLCC with nothing more than a change to the disclaimer.

We look forward to prompt inquiry into this matter.

Sincerely,

Whitney W. Cheshire
Executive Director



State of New Mexico
County of Santa Fe
Subscribed and sworn to before me on this
day of December, 2008.

Notary

THE REPUBLICAN PARTY OF NEW MEXICO

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